



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

July 11, 2008

S. 531

**A bill to repeal section 10(f) of Public Law 93-531,
commonly known as the “Bennett Freeze”**

As ordered reported by the Senate Committee on Indian Affairs on June 19, 2008

S. 531 would repeal a provision of law, known as the Bennett Freeze, that imposed a ban on construction on certain lands occupied by the Navajo Nation and the Hopi Tribe in Arizona. CBO estimates that implementing S. 531 would have no significant impact on the federal budget. Enacting S. 531 would not affect direct spending or revenues.

S. 531 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

In 1966, the Commissioner of the Bureau of Indian Affairs placed a construction ban on certain lands in northern Arizona due to a longstanding ownership dispute between the Navajo Nation and the Hopi Tribe. The freeze, which prohibited any additional housing development and restricted repairs on existing dwellings, was codified into law in 1980 and limited construction until litigation between the tribes was resolved. In 2006, the Secretary of the Interior and the tribes signed an agreement resolving the land dispute. Enacting S. 531 would be the final requirement to repeal the Bennett Freeze.

The tribes would likely seek funding from the Bureau of Indian Affairs and Department of Housing and Urban Development for housing construction; those resources are subject to the availability of appropriated funds, and S. 531 would not authorize funding for those activities. Therefore, CBO estimates that implementing the bill, by itself, would have no significant impact on the federal budget.

The CBO staff contact for this estimate is Leigh Angres. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.